

AGENDA: April 8, 2003

4.5

CATEGORY: Consent

DEPT.: Public Works

TITLE: Sunnyview Lane/Huff School Storm
Drain Easement/Vacation and
Dedication—Approve Plans and
Specifications

RECOMMENDATION

1. Authorize the City Manager to execute an agreement with the Mountain View-Whisman School District to dedicate an easement at the Huff School site to install City storm drain facilities (Attachment 1 of the staff report).
2. Adopt A RESOLUTION ORDERING THE SUMMARY VACATION OF STORM DRAINAGE EASEMENT LOCATED AT 2005 SUNNYVIEW LANE, to be read in title only, further reading waived (Attachment 2 of the staff report).
3. Approve plans and specifications for Huff School storm drainage improvements and authorize staff to advertise the project for bids.

FISCAL IMPACT

The estimated project cost for the City storm drainage improvements through the Huff School easement is \$135,000. Funds for this purpose are budgeted in the Annual Developer Reimbursements, Projects 01-11 and 02-11, as part of the five-year Capital Improvement Program (CIP). These funds are budgeted annually in the CIP at \$100,000 per year from a combination of utility funds (75 percent) and the General Fund (25 percent) to install or reimburse a developer for off-site improvements with area-wide benefits. For this project, the proposed storm drain will serve the Sunnyview Lane/Carol Avenue areas. The owner of 2005 Sunnyview Lane is redeveloping and will pay a \$5,637 storm drainage fee and also construct a part of the storm drain improvements along the parcel frontage.

BACKGROUND AND ANALYSIS

When the Garden Terrace tract was constructed in 1974, sections of storm drain lines were constructed to be extended in the future to collect storm water runoff from Carol Avenue and Sunnyview Lane north of Sleeper Avenue. A storm drain pipe was installed in the pedestrian walkway connecting Woodleaf Way to the Huff School site. In 1977, a storm drain pipe was installed within a utility easement between Sunnyview Lane and Huff School when a sanitary sewer line was installed. These two sections of pipe were never connected.

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The current drainage system in this area relies on percolation. The 2003 and 2005 Sunnyview Lane parcels at the end of the cul-de-sac are encumbered by drainage easements to accept the surface drainage from the streets north of Sleeper Avenue. An existing inlet and piping at the corner of these two properties take the surface runoff to the rear of the lots. Grading and landscaping over the years have changed the original topography of the properties and today, the runoff ponds at the end of the cul-de-sac in the City right-of-way. Very little, if any, runoff flows to the drainage easements.

To complete the storm drain installation started in the 1970s, Public Works staff has been working with the Mountain View-Whisman School District to obtain a 20' wide storm drain easement within the Huff School site. On March 6, 2003, the Mountain View-Whisman School District approved granting the easement to the City. The District has prepared an agreement authorizing the City to enter into the school property for construction and maintenance subject to certain conditions related to scheduling and indemnification. The District will sign a grant deed to dedicate the easement to the City after the agreement is executed.

With the proposed completion of the permanent storm drainage system, the owner of 2005 Sunnyview Lane has asked the City to abandon the storm drainage easement area on the property. The easement to be abandoned is shown on Attachment 2, Exhibit B. Division 9, Part 3, Chapter 4, Sections 8333 and 8334.5 of the State Streets and Highways Code provide that the legislative body may summarily vacate (no public hearing required) public easements which have not been used for the purpose for which they were dedicated or acquired for five consecutive years immediately preceding the proposed vacation, provided that there are no in-place public utility facilities that are in use and would be affected by the vacation. As this is the case and since the easement is not needed for present or future public use, the summary vacation is in order. The vacation has no adverse impact on the environment and is exempt from the provisions of the California Environmental Quality Act (CEQA).

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The Huff School storm drainage improvements involve the installation of approximately 500 linear feet of storm drain main (Attachment 3). The breakdown of the project's cost, as estimated, is as follows:

Construction (including 10% contingency)	\$ 95,000
Surveying and Mapping	12,000
City Design	10,000
Inspection and Testing	7,500
Miscellaneous	<u>2,500</u>
Subtotal	\$127,000
City Administration (6.5%)	<u>8,000</u>
TOTAL	<u>\$135,000</u>

The project is scheduled to be advertised on April 14, 2003 with bids to be opened on May 1, 2003. If bids are favorable, the construction contract will be recommended for award on May 27, 2003. The construction of the project would begin in June 2003 during summer vacation, and all work is expected to be completed by the end of July 2003 before the fall semester at Huff School starts.

In accordance with the requirements of the California Environmental Quality Act (CEQA), this project has been determined to be categorically exempt as a Class 3(d) exemption as described in Section 15303 of the CEQA Guidelines.

PUBLIC NOTICING

Other than through the posting of an agenda, no additional noticing is required for the summary vacation pursuant to the California Streets and Highways Code, Sections 8330 through 8336.

Prepared by:

Approved by:

Ron Metsers, P.E.
Land Development Engineer

Cathy R. Lazarus
Public Works Director

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Kevin C. Duggan
City Manager

RM/9/CAM
979-04-08-03M-E^

Attachments: 1. Agreement for Dedication of Easement with the Mountain View-Whisman School District
2. Summary Vacation Resolution
3. Huff School Storm Drainage Improvements

cc: APWD—Ko, DE, LDE, AE—Chen, File (2005 Sunnyview Lane Development, Huff School Storm Drain Improvements and Abandonment/Vacations)

**CITY OF MOUNTAIN VIEW
RESOLUTION NO.
SERIES 2003**

**A RESOLUTION ORDERING THE SUMMARY VACATION OF
STORM DRAINAGE EASEMENT LOCATED AT 2005 SUNNYVIEW LANE**

WHEREAS, the City of Mountain View has elected to proceed under the provisions of the Public Streets, Highways and Service Easements Vacation Law, commencing with Section 8300 and, in particular, to Chapter 4, Sections 8333 and 8334.5 regarding summary vacation of the Streets and Highways Code of the State of California, to summarily vacate certain storm drainage easement situated within the corporate limits of said City, and more particularly described and shown on Exhibits A and B attached hereto; and

WHEREAS, pursuant to said provisions, the City Council may summarily vacate (no public hearing required) said easement described above; and

WHEREAS, the City Council has found, from all the evidence submitted, that the easement described above is unnecessary for present or prospective public use;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Mountain View as follows:

1. The City Council has reviewed and considered the staff report dated April 8, 2003 and submitted by the Public Works Department and incorporates by reference said report into this resolution.
2. The City Council hereby determines that the public convenience and necessity required the vacation of the storm drainage easement located at 2005 Sunnyview Lane, as more particularly set forth in the staff report.
3. The City Council finds and determines that there are no in-place public utility facilities in use which would be affected by the vacation.
4. The City Council hereby declares its intention that no easement for public service purposes or for any other purposes are to be reserved or excepted for such proposed vacation.

5. That from and after the date this resolution is recorded, that certain public drainage easement described in Exhibits A and B no longer constitutes a storm easement, and said easement is hereby ordered vacated.

BE IT FURTHER RESOLVED that the City Clerk is hereby directed to cause a certified copy of this order, attested by her under seal, to be recorded in the Office of the Recorder of the County of Santa Clara.

RM/8/RESO
979-03-21-03R^